

# Hearing Officer Transmittal Checklist

Hearing Date  
August 20, 2013  
Agenda Item No.  
5

**Project Number:** R2012-02325-(4)  
**Case(s):** Conditional Use Permit Case No. 201200136  
**Planner:** Jeantine Nazar

- ☒ Project Summary
- ☒ Property Location Map
- ☒ Staff Analysis
- ☒ Draft Findings
- ☒ Draft Conditions
- ☒ Project Description
- ☒ Burden of Proof Statement(s)
- ☐ Environmental Documentation (ND / MND / EIR)
- ☐ Correspondence
- ☒ Photographs
- ☐ Aerial Image(s)
- ☒ Land Use/Zoning Map
- ☒ Site Plan / Floor Plans / Elevations
- ☒ Exhibit Map
- ☒ Photo Sims
- ☒ Coverage Maps
- ☒ Previous Conditions of Approval

Reviewed By: 



Department of Regional Planning  
320 West Temple Street  
Los Angeles, California 90012

**PROJECT NUMBER**

R2012-02325-(4)

**HEARING DATE**

September 3, 2013

# PROJECT SUMMARY

**REQUESTED ENTITLEMENTS**

Conditional Use Permit No. R201200136  
Environmental Assessment No. 201200244

**OWNER / APPLICANT**

T-Mobile West Corporation

**MAP/EXHIBIT DATE**

August 30, 2012

**PROJECT OVERVIEW**

The applicant is requesting a conditional use permit (CUP) to continue the operation of a wireless telecommunications facility (WTF) and to modify the existing wireless facility by replacing existing antennas and TMAs with new antennas, and twin AWS TMAs, install a hybrid fiber cable, paint the antennas to match the existing monopalm and add new equipment cabinets. This use was originally established under CUP 02-001.

**LOCATION**

1725 S Nogales Street

**ACCESS**

Nogales Street

**ASSESSORS PARCEL NUMBER(S)**

8272-016-040

**SITE AREA**

1.7 Acres

**LOCAL PLAN**

Rowland Heights Community Plan

**ZONED DISTRICT**

Puente

**LAND USE DESIGNATION**

C-(Commercial)

**ZONE**

C-2-BE (Neighborhood Business Billboard Exclusion Zone)

**PROPOSED UNITS**

N/A

**MAX DENSITY/UNITS**

N/A

**COMMUNITY STANDARDS DISTRICT**

Rowland Heights

**ENVIRONMENTAL DETERMINATION (CEQA)**

Class 1 Categorical Exemption – Existing Facilities

**KEY ISSUES**

- Consistency with the Rowland Heights Community Plan
- Satisfaction of the following Section(s) of Title 22 of the Los Angeles County Code:
  - 22.56.040 (Conditional Use Permit Burden of Proof Requirements)
  - 22.44.132 (Rowland Heights CSD requirements)
  - 22.28.130 (C-2 Zone Development Standards)
  - 22.52.1220 (Parking requirements)

**CASE PLANNER:**

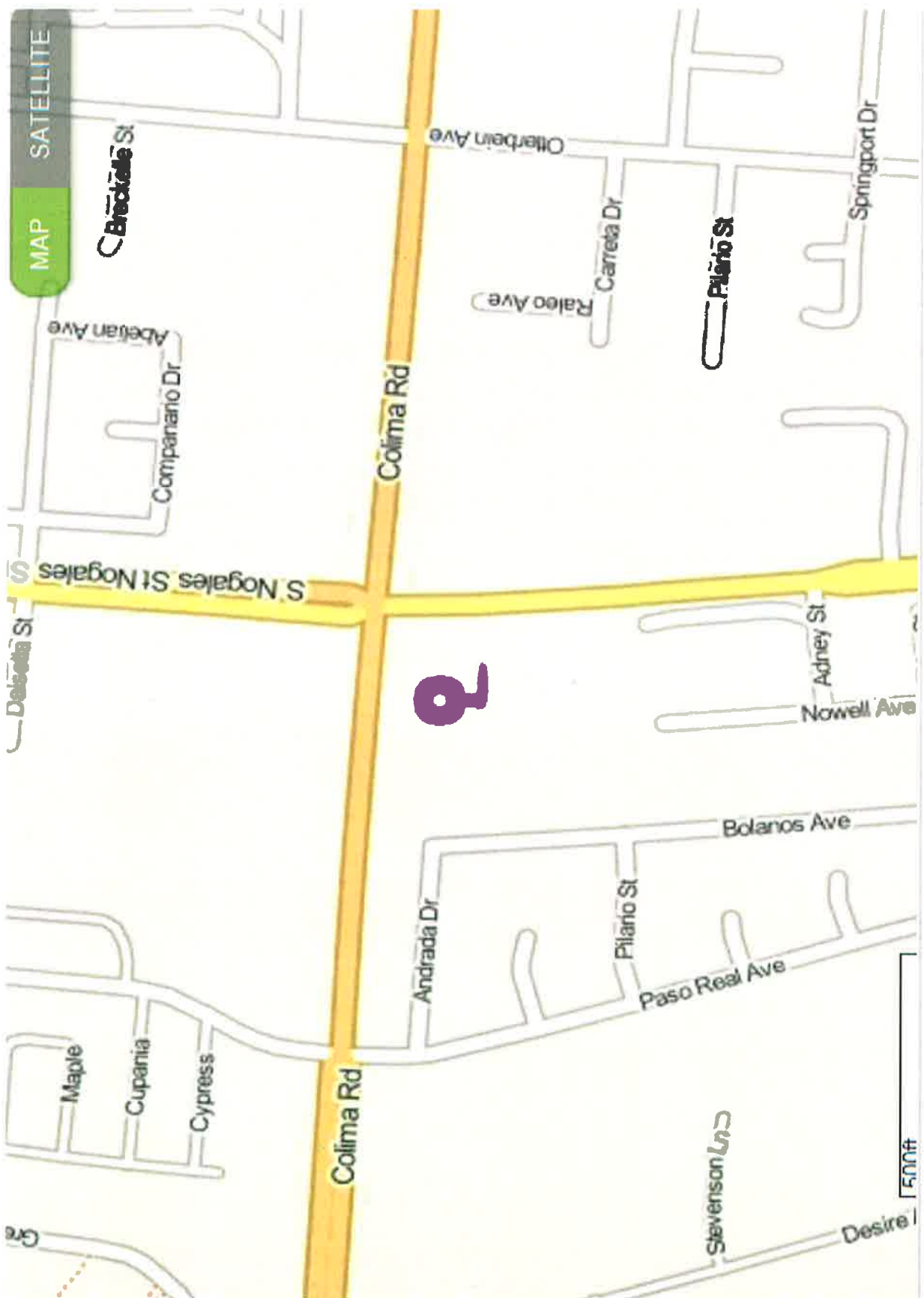
Jeanine Nazar

**PHONE NUMBER:**

(213) 974 - 6435

**E-MAIL ADDRESS:**

jnazar@planning.lacounty.gov



**ENTITLEMENTS REQUESTED**

- Conditional Use Permit (CUP) for the continued operation and maintenance of a wireless telecommunications facility (WTF) mounted on a 50-foot monopalm (a pole disguised as a palm tree) and the modification of the existing equipment in the C-2-BE (Neighborhood Business, Billboard Exclusion) Zone. Pursuant to County Code Section 22.28.160, radio and television stations and towers are allowed provided a conditional use permit has been obtained.

**PROJECT DESCRIPTION**

The subject site is at the south-westerly corner of a shopping mall located at 1725 S Nogales within the community of Rowland Heights. The applicant requests the continued operation and maintenance of the existing wireless facilities approved under CUP02-001. Additionally, the applicant requests to modify the existing facility by replacing the antennas with six new antennas in three existing sectors, two per each sector, install three twin AWS ( Advanced Wireless Services), TMA (Twin Mounted Amplifiers), one per each sector, install one new hybrid fiber cable, paint antennas to match the existing monopalm as well as replace one existing cabinet with two new cabinets and add a 19" rack mounted to the ground within the existing equipment lease area.

The proposed modification will improve the communication service as it proposes upgrades to 4G and LTE technology; which will enhance voice, data speeds and connections.

**SITE PLAN DESCRIPTION**

The site plan depicts a 50-foot monopalm and an equipment shelter situated within a 19'-0" x 25'-9", lease area, at the south-west corner of a shopping center. A 15' easement provides access to the facility from South Nogales Street. The plan depicts existing Telco pedestal and transformer on the south-east of the subject property. The antenna layout depicts nine new AWS TMAs, one on each arm for a total of three and two on each sector for a total of six replacing the existing antennas. The elevation plan depicts the 50-foot high monopalm and the proposed antenna centers at 44'-8" along with one new cabinet within the lease area. The antennas mounted on the monopalm are 5 feet in height.

The applicant shall revise the site plan and elevations to reflect accurate parking spaces, driveways, landscaping and shall show the 6-feet high wrought iron fence enclosure around the lease area.

**EXISTING ZONING**

The subject property is zoned C-2-BE (Neighborhood Business-Billboard Exclusion) Zone.

Surrounding properties are zoned as follows:

North: C-2-BE (Neighborhood Business-Billboard Exclusion)

South: A-1-6,000 (Light Agricultural Zone-6,000 square feet minimum lot size)

East: C-2-BE (Neighborhood Business-Billboard Exclusion)  
West: A-1-6,000 (Light Agricultural Zone-6,000 square feet minimum lot size)

### **EXISTING LAND USES**

The subject property is developed with a commercial center.  
Surrounding properties are developed as follows:

North: Retail  
South: Church  
East: Shopping Center  
West: Flood Control Channel/Residential

### **PREVIOUS CASES/ZONING HISTORY**

CP02-001-Approved a conditional use permit to construct a WTF consisting of a 50 feet monopalm with appurtenant equipment on June 20, 2002.

Staff verified with the Zoning Enforcement Section regarding any current violations. The owner removed the illegally installed banners and re-stripped the parking lot to comply with the required 101 parking spaces.

### **ENVIRONMENTAL DETERMINATION**

Los Angeles County ("County") Staff recommends that this project qualifies for a Categorical Exemption (Class 1- Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The proposed changes would not increase the height or the lease area and are incidental to the existing operation of the facility. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA.

### **STAFF EVALUATION**

#### General Plan/Community Plan Consistency

The project is located within the C-Commercial land use category of the Rowland Heights General Plan. The commercial land use designation is intended for commercial uses and allows for retail commercial, service and office uses. The subject facility complies with this commercial land use designation by providing a telecommunication facility serving the residents of the Rowland Heights community and therefore consistent with the permitted uses of the underlying land use category.

#### Rowland Heights Community Standards District (CSD)

The Rowland Heights CSD was established to implement the Rowland Heights Community Plan and it provides development standards to ensure that the residential character is retained. The following applicable Code Sections of the County Code, in the Rowland Heights CSD establish the following development standards:

- Pursuant to Sections 22.44.132.(D).3.a and 22.44.132.(D).2.e: any structure less than or equal to a total of 15 feet in height, on lots or parcels of land adjoining a residential zone, shall have a minimum setback of three feet from the property line adjoining the

residential zone. Any such structures or additions to structures over 15 feet in height shall add a minimum setback of one foot for each additional foot of the structure's height over 15 feet, applicable to those portions of the structure exceeding 15 feet.

*The subject property is located nearby a residential neighborhood. The existing monopalm is 50 feet in height. However, the monopalm is setback 14 feet from the property line. Further, the subject lot is separated from the adjacent residential lots by a 40 foot drainage channel. Therefore the total of 64 feet separation from the adjacent residential lots complies with the CSD requirement.*

#### Neighborhood Impact/Land Use Compatibility

The Rowland Heights Community Coordinating Council (RHCCC) in its letter of May 11, 2002 supported the project such to stealth the 50-foot tower by simulating a palm tree and to enclose the lease area within a wrought iron fencing. As instructed by RHCCC, a stealth pole design, a monopalm and wrought iron fencing were installed.

The Rowland Heights Community Council will also review this project at their meeting on August 13, 2013 and will provide comments.

#### Site Visit

Staff visited the site and noticed that the previous condition number 1k of CUP 02-001 required a decorative wrought iron enclosure. However, the lease area is enclosed with wrought iron fencing which is not decorative. Staff believes that the previous condition can be modified to require a wrought iron enclosure. However, the antennas are not adequately camouflaged, a condition requiring that the applicant provides additional fronds to disguise the antennas visible from the residential area is included in the draft conditions.

In addition, staff found that the site plan is not drawn accurately and has discrepancies in parking spaces, landscaped areas, the lease area enclosure and access. Staff requested that the applicant provide accurate plans prior to the public hearing.

#### Burden of Proof

The applicant is required to substantiate all facts identified by Section(s) 22.56.040 of the County Code. The Burden of Proof with applicant's responses is attached. Staff is of the opinion that the applicant has met the burden of proof.

#### **LEGAL NOTIFICATION AND PUBLIC OUTREACH**

Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper, library posting, property posting and DRP website posting.

#### **PUBLIC COMMENTS**

Staff received one phone call regarding this project. The caller was not satisfied with the information provided regarding the location and description of the project.

**FEES/DEPOSITS**

If approved, fees identified in the attached project conditions will apply unless modified by the Hearing Officer.

**STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project Number R2012-02325-(4), Conditional Use Permit No 201200136 subject to the attached conditions.

**I, MOVE THAT THE HEARING OFFICER, CLOSE THE PUBLIC HEARING, FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES, AND APPROVE CONDITIONAL USE PERMIT NUMBER 201200136 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS .**

Prepared by Jeantine Nazar, Regional Planning Assistant II, Zoning Permits East Section

Reviewed by Maria Masis, Supervising Regional Planner, Zoning Permits East Section

**Attachments:**

Draft Findings, Draft Conditions of Approval

Applicant's Burden of Proof statement

Site Photographs, Photo Simulations, Aerial Image

Site Plan, Land Use Map

MM:JN

August 6, 2013

**DRAFT FINDINGS AND ORDER OF THE HEARING OFFICER  
COUNTY OF LOS ANGELES  
PROJECT NO. R2012-02325-(4)  
CONDITIONAL USE PERMIT NO. 201200136**

1. **ENTITLEMENT REQUESTED.** The applicant, T-Mobile, is requesting a Conditional Use Permit (CUP) to authorize the continued operation and maintenance of a wireless telecommunications facility (WTF) mounted on a 50-foot monopalm and the modification of the existing equipment. Pursuant to County Code Section 22.28.160 radio and television stations and towers are allowed provided a conditional use permit has been obtained in the C-2-BE (Neighborhood Business, Billboard Exclusion) Zone.
2. **HEARING DATE: August 20, 2013**
3. **PROJECT DESCRIPTION.** The subject project is at the south-westerly corner of a shopping mall located at 1725 S Nogales Street, within the community of Rowland Heights. The applicant requests the continued operation and maintenance of the existing wireless facility approved under CUP 02-001. Additionally, the applicant requests to modify the existing facility by replacing the antennas with six new antennas in three existing sectors, two per each sector, install three twin AWS (Advanced Wireless Services), TMA (Twin Mounted Amplifiers), one per each sector, install one new hybrid fiber cable, paint antennas to match the existing monopalm as well as replace one existing cabinet with two new cabinets and add a 19" rack mounted to the ground within the existing equipment lease area.
4. **LOCATION.** The project is located at 1725 S Nogales Street within the community of Rowland Heights in the Rowland Heights Community Standards District.
5. **SITE PLAN DESCRIPTION.** The site plan depicts a 50-foot monopalm and an equipment shelter situated within a 19'-0" x 25'-9", lease area, at the south-west corner of a shopping center. A 15' easement provides access to the facility from South Nogales Street. The plan depicts existing Telco pedestal and transformer on the south-east of the subject property. The antenna layout depicts nine new AWS TMAs, one on each arm for a total of three and two on each sector for a total of six replacing the existing antennas. The elevation plan depicts the 50-foot high monopalm and the proposed antenna centers at 44'-8" along with one new cabinet within the lease area. The antennas mounted on the monopalm are 5 feet in height.
6. **EXISTING ZONING.**  
The subject property is zoned C-2-BE (Neighborhood Business-Billboard Exclusion) Zone. Surrounding properties are zoned as follows:  
  
North: C-2-BE (Neighborhood Business-Billboard Exclusion)  
South: A-1-6,000 (Light Agricultural Zone-6,000 square feet minimum lot size)  
East: C-2-BE (Neighborhood Business-Billboard Exclusion)

West: A-1-6,000 (Light Agricultural Zone-6,000 square feet minimum lot size).

**7. EXISTING LAND USES.**

The subject property is developed with a commercial center. Surrounding properties are developed as follows:

North: Retail

South: Church

East: Shopping Center

West: Flood Control Channel/Residential

**8. PREVIOUS CASES/ZONING HISTORY.**

CP 02-001-Approved a conditional use permit to construct a WTF consisting of a 50 foot monopalm with appurtenant equipment on June 20, 2002. This permit expired on June 30, 2012.

**9. GENERAL PLAN / COMMUNITY PLAN CONSISTENCY.**

The project is located within the C-Commercial land use category of the Rowland Heights General Plan. The commercial land use designation is intended for commercial uses and allows for retail commercial, service and office uses. The subject facility complies with this commercial land use designation by providing a telecommunication facility serving the residents of the Rowland Heights community and therefore consistent with the permitted uses of the underlying land use category.

The Rowland Heights CSD was established to implement the Rowland Heights Community Plan and it provides development standards to ensure that the residential character is retained. The following applicable Code Sections of the County Code, in the Rowland Heights CSD establish the following development standards:

The subject site is located near a residential neighborhood and the existing monopalm is 50 feet in height. Pursuant to Sections 22.44.132.(D).3.a and 22.44.132.(D).2.e, of Rowland Heights Community Standards District, a minimum setback of 38 feet is required for a 50-foot high structure adjacent to a residential lot. The total setback from the monopalm to the adjacent residential lot is 64 feet. This includes a 14 feet setback from the property line to the monopalm and a 40 foot drainage channel located between the subject property and the adjacent residential lot. Therefore, the subject monopalm complies with the CSD requirement.

**10. Neighborhood Impact/Land Use Compatibility.**

The Rowland Heights Community Coordinating Council in its letter of May 11, 2002 supported the project with a condition requiring to stealth the 50-foot tower by simulating a palm tree and to enclose the lease area with wrought iron fencing. The Rowland Heights Community Council will also review this project at their meeting on August 13, 2013 and will provide comments.

11. The hearing officer finds that the site plan is not drawn accurately and has discrepancies in parking spaces, landscaped areas, the lease area enclosure and access.
12. The hearing officer finds that the previous condition number 1k of CUP 02-001 requiring a decorative wrought iron enclosure can be modified to require a wrought iron fencing which is not decorative.
13. **LEGAL NOTIFICATION AND PUBLIC OUTREACH.** Pursuant to the provisions of Sections 22.60.174 and 22.60.175 of the County Code, the community was appropriately notified of the public hearing by mail, newspaper and property posting.
14. **PUBLIC COMMENTS.** One phone call regarding this project was received. The caller was not satisfied with the information provided regarding the location and description of the project.
15. There are no current open violations on the property at this time.

**CONDITIONAL USE PERMIT SPECIFIC FINDINGS**

16. The permittee shall provide upon request to the Zoning Enforcement Section of the Department of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.

Therefore, the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

17. The subject property is located near a residential neighborhood. The existing monopalm is 50 feet in height. However, the monopalm is setback 14 feet from the property line. Further, the subject lot is separated from the adjacent residential lots by a 40 foot drainage channel. Therefore the total of 64 feet separation from the adjacent residential lots complies with the CSD requirements of Sections 22.44.132.(D).3.a and 22.44.132.(D).2.e requiring that any structure less than or equal to a total of 15 feet in height, on lots or parcels of land adjoining a residential zone, shall have a minimum setback of three feet from the property line adjoining the residential zone. Any such structures or additions to structures over 15 feet in height shall add a minimum setback of one foot for each additional foot of the structure's height over 15 feet, applicable to those portions of the structure exceeding 15 feet.

Therefore, the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

18. The property is adequately served by South Nogales Street, a 100 foot public Street, without level-of-service issues associated with this project.

Therefore, the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

#### **ENVIRONMENTAL DETERMINATION**

19. The project consists of authorizing relatively small changes which would not increase the height or the lease area and are incidental to the existing operation of the facility.

Therefore, the project qualifies as a Categorical Exemption and is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.

20. **TERM LIMIT.** To assure continued compatibility between the use of the subject property allowed by this grant and surrounding land uses, the Hearing Officer determines that it is necessary to limit the term of the grant to 15 years.
21. **RECORD OF PROCEEDINGS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is based in this matter is at the Los Angeles County Department of Regional Planning, 13<sup>th</sup> Floor, Hall of Records, 320 West Temple Street, Los Angeles, CA 90012. The custodian of such documents and materials shall be the Section Head of the East Section, Los Angeles County Department of Regional Planning.

#### **BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:**

- A. That the proposed use will be consistent with the adopted general plan for the area; and
- B. That the requested use at the location proposed will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare; and
- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development

features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area; and

- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for a Conditional Use Permit as set forth in Section 22.56.090 of the Los Angeles County Code (Zoning Ordinance).

**HEARING OFFICER ACTION:**

1. The Hearing Officer has considered the Categorical Exemption of the project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit Number 201200136 in the Fourth Supervisorial District is **Approved** subject to the attached conditions.

MM: JN  
August 6, 2013

c: Hearing Officer, Zoning Enforcement, Building and Safety

**DRAFT CONDITIONS OF APPROVAL  
COUNTY OF LOS ANGELES  
PROJECT NO. R2012-02325-(4)  
CONDITIONAL USE PERMIT NO. 201200136**

**PROJECT DESCRIPTION**

The project is a Conditional Use Permit (CUP) for the continued operation, and maintenance of an existing unmanned wireless telecommunications facility consisting of a 50-foot monopole with appurtenant equipment and a modification to the existing facilities in order to improve communication service subject to the following conditions of approval:

**GENERAL CONDITIONS**

1. Unless otherwise apparent from the context, the term "permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("Regional Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 7, and until all required monies have been paid pursuant to Condition No. 10. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 4, 5, and 9 shall be effective immediately upon the date of final approval of this grant by the County.
3. Unless otherwise apparent from the context, the term "date of final approval" shall mean the date the County's action becomes effective pursuant to Section 22.60.260 of the County Code.
4. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitations period. The County shall promptly notify the permittee of any claim, action, or proceeding and the County shall fully cooperate in the defense. If the County fails to promptly notify the permittee of any claim action or proceeding, or if the County fails to cooperate fully in the defense, the permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing make an initial deposit with Regional Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in Regional Planning's cooperation in the defense,

including but not limited to, depositions, testimony, and other assistance provided to permittee or permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the permittee according to County Code Section 2.170.010.

6. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
7. Prior to the use of this grant, the permittee, or the owner of the subject property if other than the permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk ("Recorder"). In addition, upon any transfer or lease of the property during the term of this grant, the permittee, or the owner of the subject property if other than the permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
8. **This grant shall terminate on August 20, 2028.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the permittee intends to continue operations after such date, whether or not the permittee proposes any modifications to the use at that time, the permittee shall file a new Conditional Use Permit application with Regional Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least six (6) months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
9. This grant shall expire unless used within ninety (90) days from the date of final approval of the grant. A single thirty (30) day time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date. For the purposes of this provision, continued operation of the existing wireless telecommunication facility and satisfaction of Condition No. 2 shall be considered use of this grant.
10. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a

violation of these conditions. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The permittee shall deposit with the County the sum of **\$1,600.00**. The deposit shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for **Eight (8) biennial (one every other year) inspections**. Inspections shall be unannounced.

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$200.00 per inspection, or the current recovery cost at the time any additional inspections are required, whichever is greater.

11. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.56, Part 13 of the County Code.
12. All development pursuant to this grant must be kept in full compliance with the County Fire Code.
13. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works.
14. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code ("Zoning Ordinance") and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of Regional Planning ("Director").
15. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises over which the permittee has control.
16. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by Regional Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises.

In the event of graffiti or other extraneous markings occurring, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of notification of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

17. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A." If changes to the site plan are required as a result of instruction given at the public hearing, three (3) copies of a modified Exhibit "A" shall be submitted to Regional Planning by October 20, 2013.

#### **PERMIT SPECIFIC CONDITIONS**

18. The facility shall be operated in accordance with regulations of the State Public Utilities Commission.
19. The permittee shall provide upon request to the Zoning Enforcement Section of the Department of Regional Planning written certification that the radio frequency electromagnetic emissions levels comply with adopted Federal Communications Commission (FCC) limitations for general population/uncontrolled exposure to such emissions when operating at full strength and capacity. If other WTFs are located on the subject property or on adjacent parcels, the aforementioned report shall include the radio frequency electromagnetic emissions of said WTFs.
20. Insofar as is feasible, the permittee shall cooperate with any subsequent applicants for wireless communications facilities in the vicinity with regard to possible co-location. Such subsequent applicants will be subject to the regulations in effect at that time.
21. Any proposed WTF that will be co-locating on the existing facility will be required to provide upon request the same written verification of emissions and include the cumulative radiation and emissions of all such facilities to the Zoning Enforcement Section of the Department of Regional Planning.
20. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works.
21. External lighting, including security lighting, shall be on motion sensors, be of low intensity, fully shielded and directed away from any adjacent residences. Pole mounted lighting is prohibited on the leasehold unless the facility is disguised as a light pole. Antenna lighting is prohibited. Beacon lights are prohibited unless required by the FAA.
22. The construction and maintenance of the facility shall be limited to the hours of 9:00 AM to 5:00 PM, Monday through Friday. Emergency repairs of the facility may occur at any time.

23. One parking space for maintenance vehicles shall be provided. The space does not have to be dedicated solely to maintenance vehicles. Maintenance vehicles shall not block access to driveways.
24. The maximum height of the facility shall not exceed 50 feet above the ground level.
25. Within 30 days of change in service provider ownership, the permittee shall provide the Zoning Enforcement Section of the Department of Regional Planning the name and contact information of the new property owner.
26. The finished surface of the facility shall not be glossy or reflective in nature unless such finish is necessary to blend into existing design features. The finish shall be graffiti-resistant and shall have a color that blends in with the immediately surrounding environment.
27. Upon request, the permittee shall submit annual reports to the Zoning Enforcement Section of the Department of Regional Planning to show compliance with the maintenance and removal conditions.
28. The project number, conditional use permit number and lease holder contact information shall be prominently displayed on the facility where it can be easily viewed at or near eye level.
29. The facility shall be secured by fencing, gates and/or locks. All fencing used for screening or securing the facility shall be composed of wrought iron. Chain links, chain link with slats, barbed and other types of wire fencing are prohibited. If the facility's fences or walls are visible from the public right-of-way, landscaping, in a minimum planter width of five feet, shall be provided to screen the fence or wall from the street.
30. The pole shall be developed as a monopalm and enclosed by a wrought iron fence. The applicant shall provide additional fronds to disguise the antennas and submit new photo simulations showing the antennas camouflaged within 60 days of the final approval or by October 20, 2013.
31. Antennas shall be painted or covered to match their background (branches or trunk). The antennas shall not extend beyond the monotree branches or fronds. There shall be ample branch coverage to hide the antennas from view as effectively as possible. Faux bark cladding shall be provided from the ground to five feet beyond where the faux branches begin; above the faux bark shall be flat non-reflective brown paint to match the bark.



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



## CONDITIONAL USE PERMIT BURDEN OF PROOF

Pursuant to Zoning Code Section 22.56.040, the applicant shall substantiate the following:

*(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)*

A. That the requested use at the location will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

See attached

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

See attached

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

see attached

**T-Mobile Wireless Project Name: LA02566A**  
**County of Los Angeles - Conditional Use Permit**  
**For the Renewal and Modification of an Existing Wireless Telecommunications Facility**  
**Burden of Proof**

**Project Location**

Address: 1725 S. Nogales Street, Rowland Heights, CA 91748

APN: 8272-016-040

Zoning: Commercial (C-3)

**A. That the requested use at the location will not:**

- 1. Adversely affect the health, peace, comfort or welfare of person residing or working in the surrounding area.**
- 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site.**
- 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.**

The existing wireless telecommunications facility will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area because the facility is complete unmanned, generates no traffic, noise, odor, waste, hazardous materials or additional light. The existing property site will remain the same with only minor upgrades to the existing facility are proposed.

The existing wireless telecommunications facility is not materially detrimental to the use, enjoyment or valuation of the property of other persons located in the vicinity of the site, nor does it jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare because the existing facility is a benign use that does not interfere with the use of the subject property or the neighboring properties. The existing facility does not block any views, attract criminal elements, nor generate/sell offensive products. The existing facility is a vital part of the T-Mobile network that is already in place in this part of Hacienda Heights and Los Angeles County at large. Without it, subscribers will drop calls when passing through this area and will be unable to make or receive calls in their home or businesses. The vital national infrastructure that this facility provides may actually increase the enjoyment, valuation and safety of properties and others located in the vicinity.

**B. That the existing site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.**

The existing site is located in a commercial zone and is located on S. Nogales Street., east of Fullerton Road and south of Colima Road. The site is more than adequate in size to accommodate the existing telecommunications facility. The existing monotree installation consists of wireless antennas, along with the associated equipment cabinets and connections for power and telco on within an enclosed space at grade. The existing facility does not encroach into any required setbacks. Additionally, the existing monotree would be able to accommodate future collocation for additional carriers. The existing design

is integrated as a tree and is in scale with the nature of the immediate property and the surrounding area as the area has live mature trees as well.

The specifics of the above outlined wireless proposal, in terms of location, size and design are further illustrated within the provided plans and photo simulations.

**C. That the existing site is adequately served:**

- 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and**
- 2. By other public or private services facilities as are required.**

The existing site is adequately served by fully sufficient/improved public roads (S. Nogales Street, Fullerton Road, and Colima Road. The existing facility is unmanned and does not generate any traffic other than a maintenance visit every four to six weeks, therefore will not have any traffic impacts. The existing use will not require or impact any public or private services facilities.

**CUP Renewal and Modification for an Existing  
Wireless Telecommunications Facility**

**Applicant's Agent:** Argineh Mailian  
Core Development Services  
2749 Saturn St.  
Brea, CA 92821

**Site Address:** Address: 1725 S. Nogales Street, Rowland Heights CA 91748  
APN: 8272-016-040  
Zoning: C-3, Commercial

**Project Description:**

T-Mobile is requesting a CUP renewal to the existing approval CUP No. 02-001-(4) to extend the time limitations for the existing wireless facility located at 1725 S. Nogales Street. In addition to the proposed CUP renewal request, T-Mobile proposes to modify the existing wireless facility by replacing existing antennas with six new antennas, remove existing TMAs and replace with three twin AWS TMAs, install one new hybrid fiber cable, paint antennas to match existing tree and remove one existing cabinets and replace with two new cabinets and ground mount 19" rack, all within existing equipment/lease area.

**The Property:**

The existing facility property is located on located on S. Nogales Street., east of Fullerton Road and south of Colima Road.

**Introduction to Wireless Facilities:**

The existing T-Mobile wireless facility is a registered public utility, licensed and regulated by the California Public Utilities Commission (CPUC) and the Federal Communications Commission (FCC). As public utilities, they are licensed by the FCC and *must* provide wireless communication services throughout the Southern California area.

The network of T-Mobile cell sites throughout the Los Angeles region is "locationally dependent," meaning that there is a necessary and logical interrelationship between each cell site. Eliminating or relocating a single cell site can lead to gaps in the system and prohibit T-Mobile from providing uninterrupted service to customers in a defined coverage area. Further, the elimination or relocation of a cell site will most often have a "domino" effect on other cell site locations and necessitate significant design changes or modifications to the network. Therefore, it is critical that the CUP for this site be renewed and it remain on air.

**Background:**

The existing facility was approved on July 3, 2002. The existing wireless communications facility provides voice, e-mail and internet access capabilities for customers' communications needs virtually anywhere at any time. The existing building is available for collocation if another carrier so chooses.

**Overview of Objective:**

The proposed CUP renewal/time extension will allow for the continued operation of the existing facility. The proposed modification will enhance the existing technology providing a more efficient and effective facility.

**Compatibility with Other Site Development Standards and General Plan:**

The location, size, design and operating characteristics of the existing facility will continue not to create any unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with the surrounding land uses. The existing use remains consistent with this finding in that:

1. The existing equipment associated with the telecommunication structure operates quietly or virtually noise free.
2. The existing equipment does not emit fumes, smoke or odors that could be considered objectionable.
3. The existing telecommunications facility is unmanned and only requires periodic maintenance, which equates to approximately one trip per month.
4. The existing communications facility will not result in conditions or circumstances contrary to the public health, safety and the general welfare.

**Regulating Agencies:**

The existing wireless communications facility is regulated by the Federal Communications Commission (FCC) and is authorized to operate. All telecommunications facilities operate at the lowest possible power levels and are well below established standards used by the FCC for safe human exposure to radio frequency electromagnetic fields. These standards have been tested and proven safe by the American National Standards Institute (ANSI) and the Institute of Electrical and Electronics Engineers (IEEE).

The existing communications facility continues to operate in full compliance with the U.S. standards for radio frequency emissions as published by the American National Standards Institute (ANSI). The ANSI was developed by the committee composed of 125 scientists from universities, non-profit laboratories and Federal Health Laboratories (FDA, NIOSH and EPA). In 1992 the ANSI established, as a public safety standard, a maximum exposure level to radio frequency emissions of 1000 microwatts per centimeter squared (1,000 uW/cm<sup>2</sup>).

**Project Benefits:**

Renewing the CUP will allow the community the continuing benefits of:

- Telephone, data transmission, paging, short message functions, and voicemail services and reliable services for emergency purposes.
- Enhanced emergency response communications for police, fire, paramedics and other emergency services in the wake of an emergency or disaster.
- Better voice and reception quality through use of the all-digital technology.
- Higher security and privacy for telephone users.
- More affordable service due to increased competition in the marketplace.

**Findings:****1. The existing wireless facility location continues to be desirable to the public convenience and welfare.**

Wireless facilities are a public utility, licensed and regulated by the California Public Utilities Commission (CPUC) and the Federal Communications Commission (FCC). Wireless communication is a vital element of the communications network for both emergency services and public convenience. The utilities are mandated to provide adequate coverage in each of the geographic areas they serve. Wireless technology has stringent location and elevation requirements, and the existing wireless facility continues to provide viable wireless communications services to subscribers in the surrounding community.

**2. The existing facility continues to be proper in relation to adjacent uses and the development character of the community.**

The existing location and use maintains compatibility with adjacent uses and the development character of the area. The existing facility maintains consistency with the existing environment and minimizes the visual obtrusiveness of the facility.

This will continue to be an unmanned facility and not require any sewer, or parking infrastructure to support its operation. The facility will continue to be visited once or twice per month by a technician for routine maintenance and testing.

**3. The existing facility is not detrimental to the character of the development in the immediate neighborhood and is in harmony with the various elements and objectives of the General Plan.**

The use will remain the same and have no substantial adverse impact on properties or improvements in the surrounding neighborhood. The existing unmanned wireless telecommunications facility is a passive use and will remain that way. There will be no increase to vehicular or pedestrian traffic in the area.

The California Public Utilities Commission considers the existing use a public utility. In addition, demand by the public for wireless telecommunications services is rapidly increasing and contributes to the economic health and welfare of the general public.

# Site Photos

**Full Site View**



**Full Site View**



# Site Photos

Site Access



Site Access



# BTS Photos

**Full view of all BTS's**

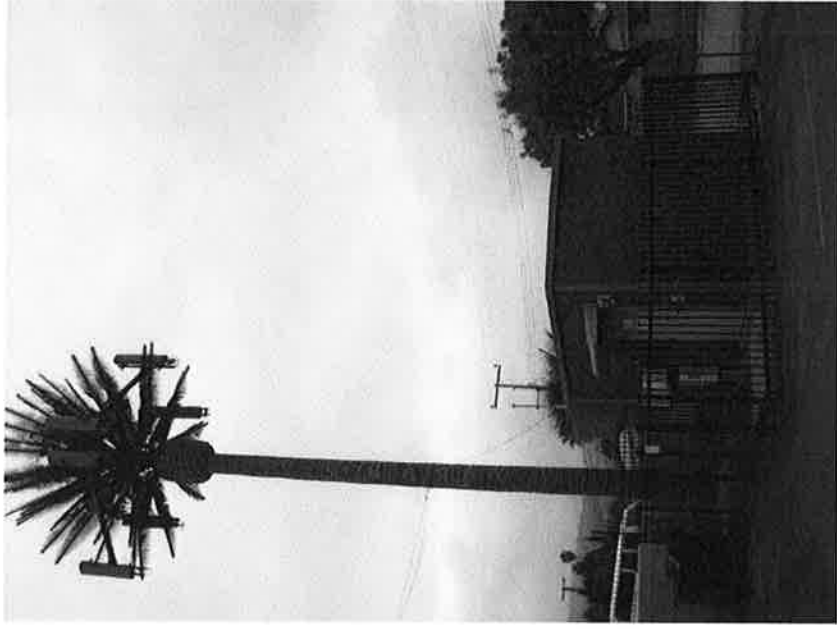


**Full view of all BTS's**

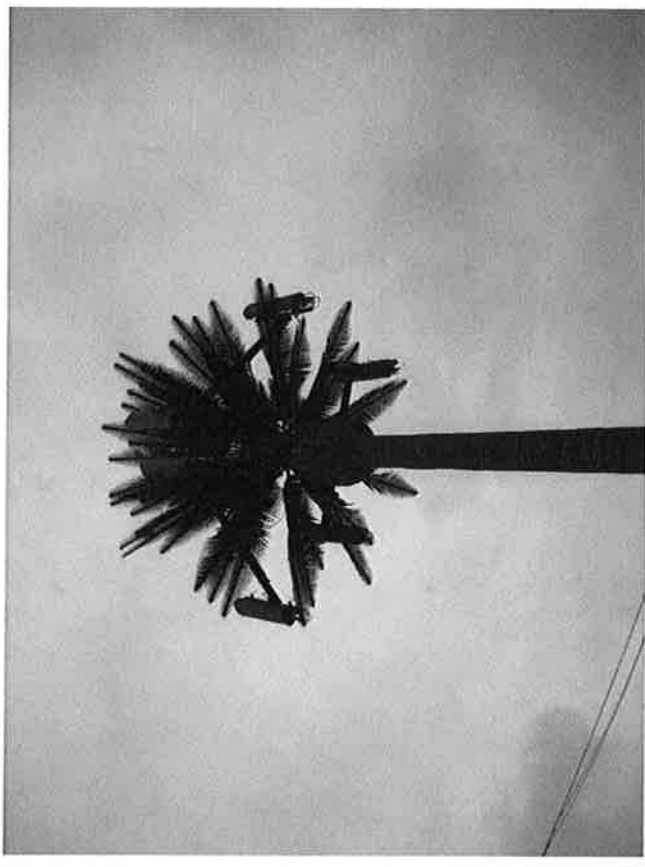


# Antenna Photos - Tower

**Full view of structure**



**Full view of structure**



# Antenna Photos – Sector A

**Front of antennas – Full  
View**

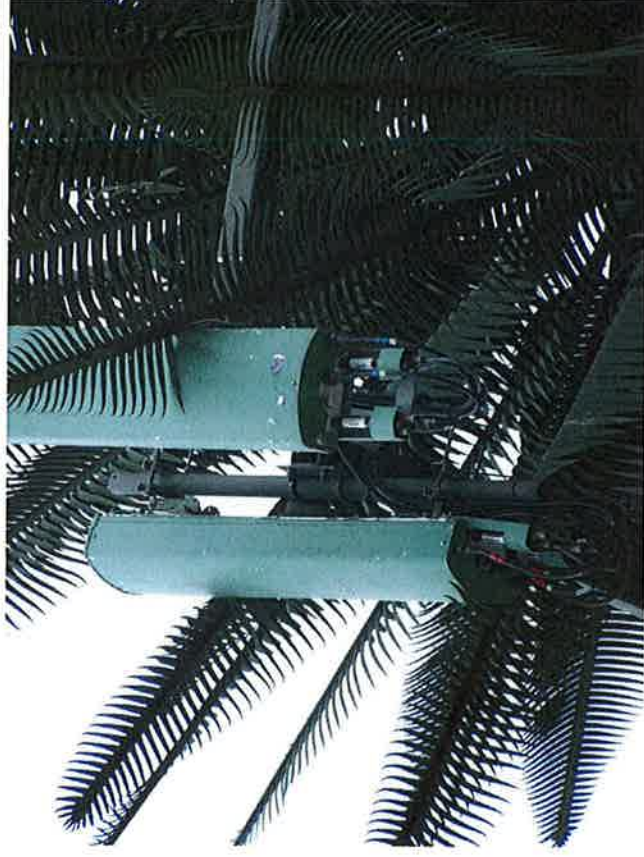


**Back of antennas – Full View**



# Antenna Photos – Sector A

**MDT - GSM**



**MDT - UMTS**

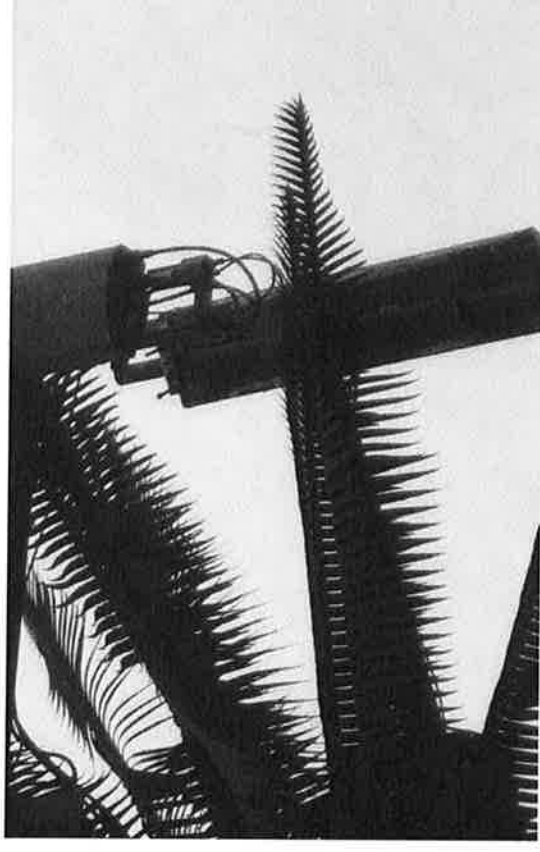


# Antenna Photos – Sector B

**Front of antennas – Full  
View**



**Back of antennas – Full View**



# Antenna Photos – Sector C

**Front of antennas – Full  
View**



**Back of antennas – Full View**

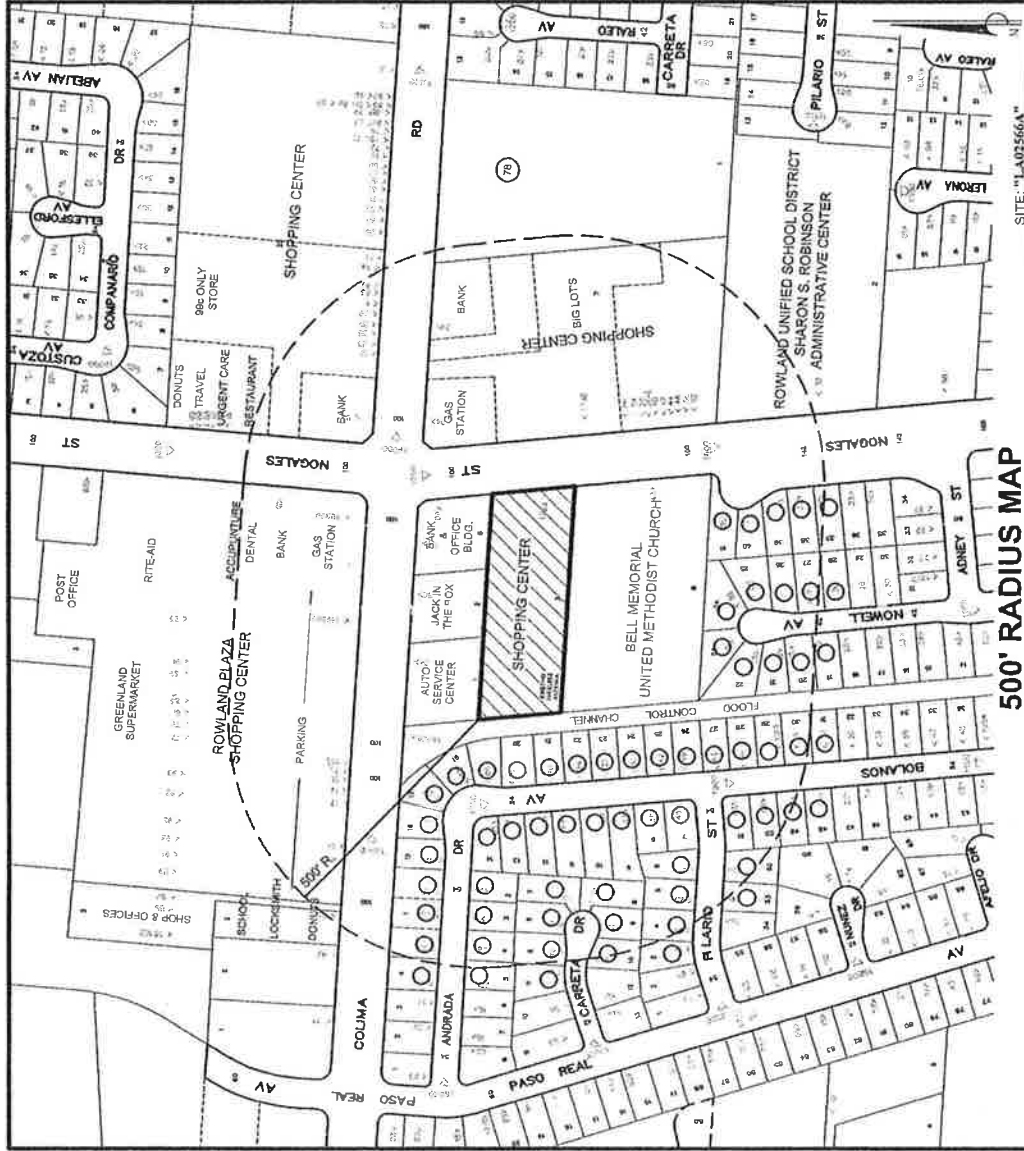












# 500' RADIUS MAP

SITE: "LA02566A"

CASE NO.  
DATE: 9-23-12  
SCALE: 1" = 100'

## LEGEND

- ☐ SINGLE-FAMILY RESIDENCE
- ☐ MULTI-FAMILY RESIDENCE
- ☐ ALL OTHER USES ARE AS SHOWN

## LAND USE MAP

L.A. MAPPING SERVICE  
71 DEER CREEK ROAD  
POMONA, CA 91766  
(909) 595-0903

# T-Mobile®

**SITE NUMBER:** LA02566A **CITY:** ROWLAND HEIGHTS  
**SITE NAME:** 1725 NOGALES **COUNTY:** L.A. COUNTY  
**SITE TYPE:** MONOPALM **JURISDICTION:** COUNTY OF LOS ANGELES

**T-Mobile®**  
 2005 WILLOW BROOK  
 IRVINE, CA 92614

**CDG**  
 CONSULTING DESIGN GROUP, LLC  
 CONSULTING DESIGN GROUP, LLC  
 24410 San Juan Drive, Suite 100, Irvine, CA 92614  
 (714) 251-0000 FAX (714) 251-0001

**core**  
 DEVELOPMENT SERVICES  
 1725 S. NOGALES ST.  
 ROWLAND HEIGHTS, CA 91748  
 (714) 251-0000 FAX (714) 251-0001

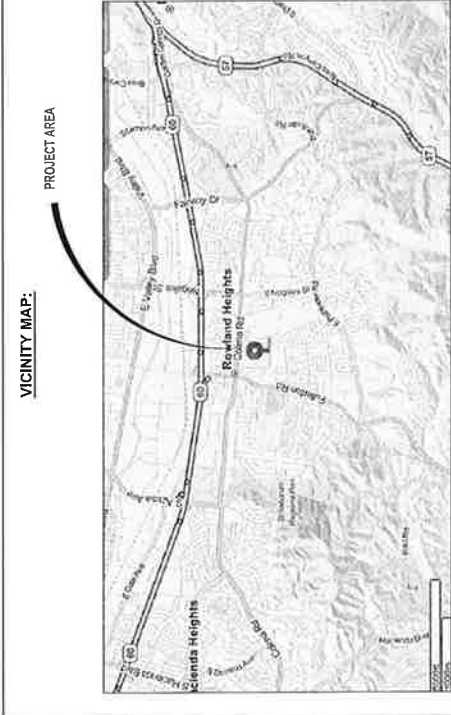
NO.	DATE	DESCRIPTION	BY
0	09/15/12	90% CD	DMC
1	09/30/12	100% CD	EIN

**SITE INFORMATION**  
 1725 NOGALES  
 LA02566A  
 1725 S. NOGALES ST.  
 ROWLAND HEIGHTS, CA 91748

**SEAL**

**TITLE SHEET**

**SHEET NUMBER**  
 T-1



**SHEET INDEX:**

SHEET NUMBER	DESCRIPTION
T-1	TITLE SHEET
T-2	ABBREVIATIONS, SYMBOLS, GENERAL NOTES & ABBREVIATIONS
A-1	SITE PLAN
A-2	ANTENNA LAYOUT
A-3	ARCHITECTURAL ELEVATIONS
A-4	EQUIPMENT DETAILS

**PROJECT SUMMARY:**

**SITE ADDRESS:**  
 1725 S. NOGALES ST.  
 ROWLAND HEIGHTS, CALIFORNIA 91748

**PROPERTY OWNER:**  
 200 S. GARFIELD AVE. STE 200  
 ALHAMBRA, CA 91801  
 CONTACT: JON FORTNEY  
 PHONE: (626) 206-4121

**APPLICANT:**  
 T-MOBILE DESIGN GROUP, LLC  
 24410 SAN JUAN DRIVE, SUITE 100  
 IRVINE, CA 92614  
 CONTACT: DAN CONNELL  
 PHONE: (714) 251-0000  
 FAX: (714) 251-0001

**PROJECT DESCRIPTION:** LTE MODERNIZATION

**THE PROJECT DETAILS:**

1. REPLACE 6 EXISTING ANTENNAS W/ 6 AIR21S
2. REMOVE EXISTING T-MAS AND ADD 3 TWIN ERICSSON AWS T-MAS
3. INSTALL 3 TWIN ERICSSON AWS T-MAS
4. PAINT ANTENNAS TO MATCH
5. TAKE OUT DEAD 1 - BEU 2000 AND REPLACE W/ GROUND MOUNTED 19" RACK
6. ADD ADDITIONAL (2) 6601

**BUILDING SUMMARY:**

**TYPE OF CONSTRUCTION:** U-2  
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**ASSESSORS PARCEL NUMBER:** 8272-016-040

**DIRECTIONS FROM T-MOBILE SANTA ANA OFFICE:**

1. START OUT CORNER NORTHWEST ON VEGA AVE TOWARD FRONTRON AVE 0.5 MI
2. TAKE THE 3RD RIGHT ONTO RED HILL AVE 0.4 MI
3. TAKE THE 3RD LEFT ONTO E DYER RD 0.5 MI
4. MERGE ONTO CA-85 N TOWARD RIVERSIDE 2.2 MI
5. MERGE ONTO I-5 N VIA EXIT 108 TOWARD SANTA ANA 4.2 MI
6. MERGE ONTO CA-57 N VIA EXIT 107A TOWARD POMONA 13.7 MI
7. TAKE THE DIAMOND BAR BLVD EXIT, EXIT 14, 7.4 MI
8. TURN LEFT ONTO BREA CANYON CUTOFF RD/S DIAMOND BAR BLVD. CONTINUE TO FOLLOW BREA CANYON CUTOFF RD 0.8 MI
9. BREA CANYON CUTOFF RD BECOMES BREA CANYON CUT OFF RD 1.1 MI
10. TURN LEFT ONTO COLIMA RD 1.8 MI
11. TURN LEFT ONTO S JELLOCK AVE 0.09 MI
12. TAKE THE 1ST RIGHT ONTO SIERRA LEONE AVE 0.3 MI
13. TAKE THE 1ST RIGHT ONTO E VIDORA DR 0.06 MI
14. WELCOME TO ROWLAND HEIGHTS, CA 91748

**APPROVALS:**

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. THESE DOCUMENTS SHALL BE KEPT ON FILE WITH THE CITY OF ROWLAND HEIGHTS DEPARTMENT AND ANY CHANGES AND MODIFICATIONS THEY MAY INCURE.

PRINT NAME	SIGNATURE	DATE
LANDLORD		
DEVELOP. MGR		
CONST. MGR		
ZONING MGR		
RF ENGINEER		
OPERATIONS		
SAC REP.		
UTILITIES		

**CONSULTING TEAM:**

**SAC/ZONING/PERMITTING:**  
 CORE DEVELOPMENT SERVICES  
 24410 SAN JUAN DRIVE, SUITE 100  
 IRVINE, CA 92614  
 CONTACT: DAN CONNELL  
 PHONE: (714) 251-0000  
 FAX: (714) 251-0001  
 E-MAIL: dconnell@cdgdesigngroup.com

**ARCHITECTURAL & ENGINEERING:**  
 CDG-CONNELL DESIGN GROUP, LLC  
 24410 SAN JUAN DRIVE, SUITE 100  
 IRVINE, CA 92614  
 CONTACT: DAN CONNELL  
 PHONE: (714) 251-0000  
 FAX: (714) 251-0001  
 E-MAIL: dconnell@cdgdesigngroup.com

**APPLICABLE CODES**

BUILDING CODE: CALIFORNIA BUILDING CODE 2010  
 ALL WORK IS TO COMPLY WITH THE 2010 CALIFORNIA BUILDING CODE (CBC)  
 TIA/EIA-222-1000-F LEE SAFETY CODE NFPA-101, 807 COMMERCIAL BUILDING GRONDING AND BONDING REQUIREMENTS FOR TELECOMMUNICATIONS  
 NEC - CONSTRUCTION MANUAL 9TH EDITION OR LATER.  
 NEC (NATIONAL ELECTRIC CODE) 2007 (NECA 70)

[illegible]

**1725 NOGALES**  
**LA02566A**  
1725 S. NOGALES ST.  
ROWLAND HEIGHTS, CA 91748

SEAL:

**SHEET TITLE:**  
**ABBREVIATIONS,  
SYMBOLS, GENERAL  
NOTES &  
SPECIFICATIONS**

**T-2**

## SITE PREPARATION NOTES:

- [illegible]

## SUBMITTALS:

**SUBMITTALS:** SUBMITTALS FOR SHOP DRAWINGS, MILL TESTS, PRODUCT DATA, ETC., FOR ITEMS DESIGNED BY THE ARCHITECT/ENGINEER OF RECORD SHALL BE MADE TO THE ARCHITECT/ENGINEER PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL REVIEW THE SUBMITTAL BEFORE FORWARDING TO THE ARCHITECT. SUBMITTALS SHALL BE MADE IN ADVANCED TO ARCHITECT-ENGINEER. SUBMITTALS REQUIRED FOR EACH SECTION OF THESE NOTES ARE SPECIFIED IN THAT SECTION.

### SHOP DRAWING REVIEW:

REVIEW BY THE ARCHITECT/ENGINEER IS FOR GENERAL COMPLIANCE WITH THE DESIGN CONCEPT AND THE CONTRACT DOCUMENTS. WARNINGS OR COMMENTS SHALL NOT BE CONSTRUED AS RELIEVING THE CONTRACTOR FROM COMPLIANCE WITH THE PROJECT PLANS AND SPECIFICATIONS, NOR DEPARTURES THEREFROM. THE CONTRACTOR REMAINS RESPONSIBLE FOR DETAILS AND ACCURACY, FOR CONFIRMING AND CORRELATING ALL QUANTITIES AND DIMENSIONS, FOR SELECTION FABRICATION PROCESSES.

**ACCESSIBILITY NOTE:**

THE TELECOMMUNICATIONS EQUIPMENT SPACE SHOWN HEREON THESE PLANS IS NOT CUSTOMARILY OCCUPIED. WORK TO BE PERFORMED IN THIS FACILITY CANNOT REASONABLY BE PERFORMED BY PERSONS WITH A SEVERE IMPAIRMENT: MOBILITY, HEARING, AND/OR HEARING. THEREFORE, PER 2010 CALIFORNIA BUILDING CODE SECTION 11039.1 EXCEPTION 1, THIS FACILITY SHALL BE EXEMPTED FROM ALL TITLE 24 ACCESS REQUIREMENTS.

## BID WALK NOTES:

1. CONTRACTOR TO FIELD VERIFY ALL EXISTING CONSTRUCTION CONDITIONS BEFORE SUBMITTAL OF FINAL BIDS, START OF CONSTRUCTION AND/OR FABRICATION. AFTER THOROUGHLY EXAMINING THE PLANS AND EXISTING SITE CONDITIONS NOTIFY THE ENGINEER IN WRITING OF ANY OMISSIONS/DISCREPANCIES, OR ANY ITEMS NEEDING CLARIFICATION PRIOR TO SUBMITTING FINAL BIDS.
2. IF THE ENGINEER IS NOT NOTIFIED OF ANY OMISSIONS/DISCREPANCIES OR CLARIFICATIONS IN WRITING AS DESCRIBED IN #1, IT WILL BE CONSIDERED THAT THE CONTRACTOR HAS CONSIDERED ALL ITEMS THAT WILL AFFECT THE COST OF THE CONSTRUCTION OF THE SITE UNDER THE MOST STRINGENT CONDITIONS. THE CONTRACTOR WILL NOT BE ENTITLED TO ANY ADDITIONAL COMPENSATION AFTER

## GENERAL

- [illegible]

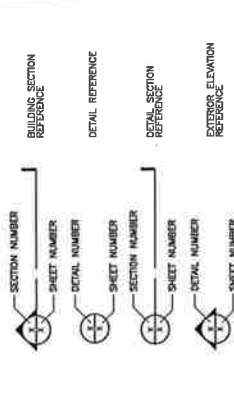
## GENERAL NOTES & SPECIFICATIONS

ABBREVIATIONS & SYMBOLS	SCALE:	1
	ATC	

## ABBREVIATIONS

AB	ANCHOR BOLT	AM	LAMINATED	AN	NEW IN CONTRACT	AO	OVERALL	AP	APERTURE	AR	RESER	AS	ASBESTOS	AT	AT	AV	AVAIL	AW	AWAY	AX	AXIS	AY	AY	BA	BALANCE	BB	BOND	BC	BLOCK	BD	BUILDING	BE	BELONG	BF	BLOCK	BG	BLOCK	BH	BLOCK	BI	BLOCK	BJ	BLOCK	BK	BLOCK	BL	BLOCK	BM	BLOCK	BN	BLOCK	BO	BLOCK	BP	BLOCK	BQ	BLOCK	BR	BLOCK	BS	BLOCK	BT	BLOCK	BU	BLOCK	BV	BLOCK	BW	BLOCK	BX	BLOCK	BY	BLOCK	BZ	BLOCK	CA	CAUSE	CB	CAUSE	CC	CAUSE	CD	CAUSE	CE	CAUSE	CF	CAUSE	CG	CAUSE	CH	CHANCE	CI	CHANCE	CJ	CHANCE	CK	CHANCE	CL	CHANCE	CM	CHANCE	CN	CHANCE	CO	CHANCE	CP	CHANCE	CQ	CHANCE	CR	CHANCE	CS	CHANCE	CT	CHANCE	CU	CHANCE	CV	CHANCE	CW	CHANCE	CX	CHANCE	CY	CHANCE	CZ	CHANCE	DA	DAM	DB	DAM	DC	DAM	DD	DAM	DE	DAM	DF	DAM	DG	DAM	DH	DAM	DI	DAM	DJ	DAM	DK	DAM	DL	DAM	DM	DAM	DN	DAM	DO	DAM	DP	DAM	DQ	DAM	DR	DAM	DS	DAM	DT	DAM	DU	DAM	DV	DAM	DW	DAM	DX	DAM	DY	DAM	DZ	DAM	EA	EARTH	EB	EARTH	EC	EARTH	ED	EARTH	EE	EARTH	EF	EARTH	EG	EARTH	EH	EARTH	EI	EARTH	EJ	EARTH	EK	EARTH	EL	EARTH	EM	EARTH	EN	EARTH	EO	EARTH	EP	EARTH	EQ	EARTH	ER	EARTH	ES	EARTH	ET	EARTH	EU	EARTH	EV	EARTH	EW	EARTH	EX	EARTH	EY	EARTH	EZ	EARTH	FA	FALL	FB	FALL	FC	FALL	FD	FALL	FE	FALL	FF	FALL	FG	FALL	FH	FALL	FI	FALL	FJ	FALL	FK	FALL	FL	FALL	FM	FALL	FN	FALL	FO	FALL	FP	FALL	FQ	FALL	FR	FALL	FS	FALL	FT	FALL	FU	FALL	FV	FALL	FW	FALL	FX	FALL	FY	FALL	FZ	FALL	GA	GAS	GB	GAS	GC	GAS	GD	GAS	GE	GAS	GF	GAS	GH	GAS	GI	GAS	GJ	GAS	GK	GAS	GL	GAS	GM	GAS	GN	GAS	GO	GAS	GP	GAS	GQ	GAS	GR	GAS	GS	GAS	GT	GAS	GU	GAS	GV	GAS	GW	GAS	GX	GAS	GY	GAS	GZ	GAS	HA	HAND	HB	HAND	HC	HAND	HD	HAND	HE	HAND	HF	HAND	HG	HAND	HH	HAND	HI	HAND	HJ	HAND	HK	HAND	HL	HAND	HM	HAND	HN	HAND	HO	HAND	HP	HAND	HQ	HAND	HR	HAND	HS	HAND	HT	HAND	HU	HAND	HV	HAND	HW	HAND	HX	HAND	HY	HAND	HZ	HAND	IA	IN	IB	IN	IC	IN	ID	IN	IE	IN	IF	IN	IG	IN	IH	IN	II	IN	IJ	IN	IK	IN	IL	IN	IM	IN	IN	IN	IO	IN	IP	IN	IQ	IN	IR	IN	IS	IN	IT	IN	IU	IN	IV	IN	IV	IN	IW	IN	IX	IN	IY	IN	IZ	IN	JA	JAW	JB	JAW	JC	JAW	JD	JAW	JE	JAW	JF	JAW	JG	JAW	JH	JAW	JI	JAW	JK	JAW	JL	JAW	JM	JAW	JN	JAW	JO	JAW	JP	JAW	JK	JAW	JL	JAW	JM	JAW	JN	JAW	KA	KAY	KB	KAY	KC	KAY	KD	KAY	KE	KAY	KF	KAY	KG	KAY	KH	KAY	KI	KAY	KJ	KAY	KK	KAY	KL	KAY	KM	KAY	KN	KAY	KO	KAY	KP	KAY	KQ	KAY	KR	KAY	KS	KAY	KT	KAY	KU	KAY	KV	KAY	KW	KAY	KX	KAY	KY	KAY	KZ	KAY	LA	LAW	LB	LAW	LC	LAW	LD	LAW	LE	LAW	LF	LAW	LG	LAW	LH	LAW	LI	LAW	LJ	LAW	LK	LAW	LL	LAW	LM	LAW	LN	LAW	LO	LAW	LP	LAW	LQ	LAW	LR	LAW	LS	LAW	LT	LAW	LU	LAW
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Current:



- | KEY | NOTE                    | REFERENCE          |
|-----|-------------------------|--------------------|
| ①   | DOOR NUMBER             | PROPERTY LINE      |
| X   | AREA AND/OR ROOM NUMBER | FENCING            |
| X   | MECHANICAL UNIT         | ELECTRICAL SERVICE |
| X   |                         | TELE. SERVICE      |

2008 McGRAW HILL  
IRVINE, CA 92614

— PLANS PREPARED BY: \_\_\_\_\_



**CONNELL DESIGN GROUP, LLC**  
CONSULTING CIVIL ENGINEERS  
26455 Ramacho Pkwy, Suite, Lake Forest, CA 92630  
(949) 713-5637 OFFICE - (949) 713-4613 FAX

# core

**DEVELOPMENT SERVICES**  
2719 Saturn Street  
Brea, California 92821  
(714)729-8404 (714)333-4441 fax  
www.cort.us.com

[illegible]

SITE INFORMATION:

1725 NOGALES  
LA02566A

1725 S. NOGALES ST.  
ROWLAND HEIGHTS, CA 91748

—CAPA—

**SHEET TITLE**

## SITE PLAN

—SHEET NUMBER—

# A-1

**NOTE:**  
SITE PLAN IS PRELIMINARY  
AND DONE WITHOUT THE  
BENEFIT OF A SURVEY.

COLIMA ROAD

SECTOR 'A'  
45°

NOGALES STREET

SECTOR 'B'  
180°

SECTOR 'C'  
315°

(1) T-MOBILE 15% ACCESS ROUTE

(c) TELCO PEDESTAL, 7-MODEL TELCO P.A.C.

(3) BUILDING

## SITE PLAN

SCALE: 1"=20'-0"

1



2005 MICHAM AVENUE  
IRVINE, CA 92614

**PLANS PREPARED BY:**



**CONNELL DESIGN GROUP, LLC**  
CONSULTING CIVIL ENGINEERS  
36455 Rancho Pkwy. Smith, Lake Forest, CA 92640  
(949) 733-8827 OFFICE (949) 753-8833 FAX

**— CONSULTING GROUP:**

# core

**DEVELOPMENT SERVICES**  
2749 Saturn Street  
Brea, California 92821  
(714) 729-5404 (714) 333-4441 fax  
www.dpsa.com

[illegible]

— SITE INFORMATION: \_\_\_\_\_

1725 NOGALES  
LA02566A

1725 S. NOGALES ST.  
ROWLAND HEIGHTS, CA 91748

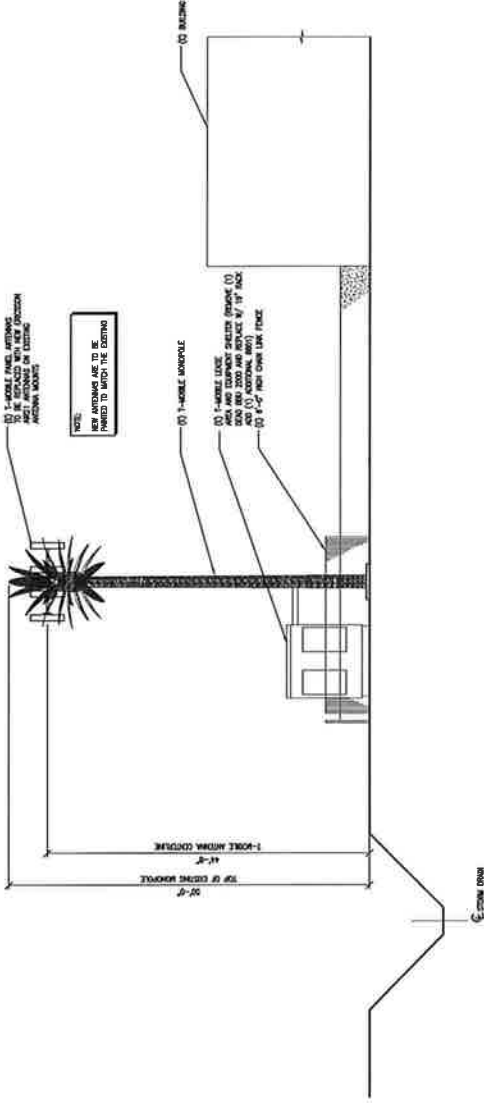
SEAL

**SHEET TITLE:**

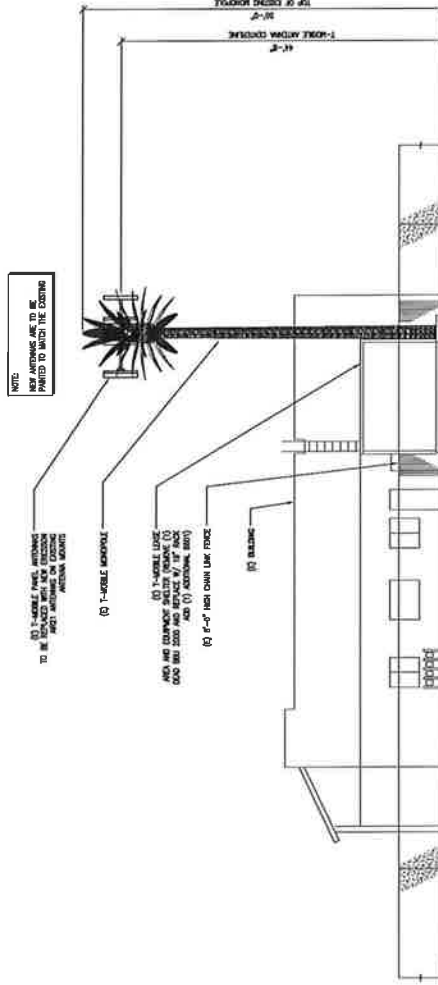
ARCHITECTURAL  
ELEVATIONS

SHEET NUMBER:

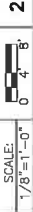
**A-3**


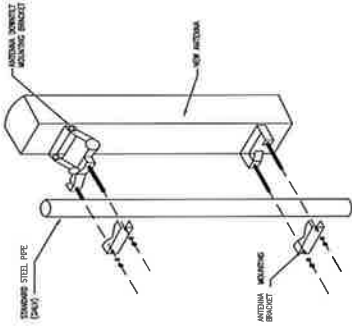
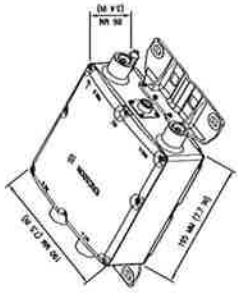


**SOUTH ELEVATION**

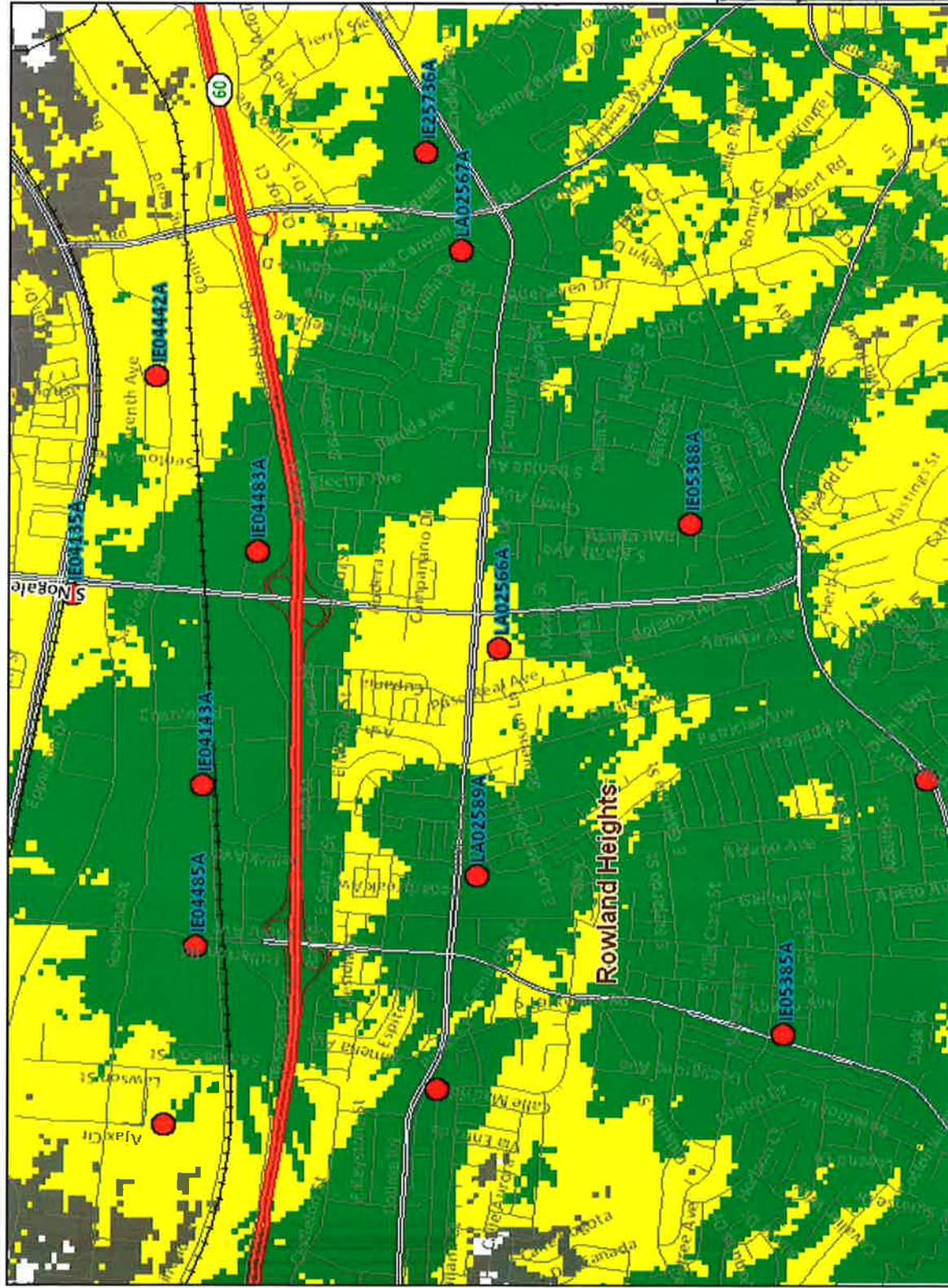


**WEST ELEVATION**



<div><div><div>T-Mobile</div><div>2005 MCGRAW AVENUE IRVINE, CA 92614</div></div><div><div>EDG</div><div>CONNELL DESIGN GROUP, LLC 2005 MCGRAW AVENUE IRVINE, CA 92614 (714) 752-5664 (714) 535-4441 FAX (714) 535-4441</div></div><div><div>core</div><div>CONSULTING GROUP DEVELOPMENT SERVICES 2005 MCGRAW AVENUE IRVINE, CA 92614 (714) 752-5664 (714) 535-4441 FAX (714) 535-4441</div></div></div>			<div><div>PLANS PREPARED BY:</div><div>1725 NOGALES LA02566A 1725 S. NOGALES ST. ROWLAND HEIGHTS, CA 91748</div></div> <div><div>SEAL:</div></div> <div><div>SHEET TITLE:</div><div>EQUIPMENT DETAILS</div></div> <div><div>SHEET NUMBER:</div><div>A-4</div></div>					
<div><div>AIR 21 ANTENNA DATA: PHYSICAL CHARACTERISTICS AND ENVIRONMENT: DIMENSIONS (H X W X D): 1422 X 307 X 200 MM (56" X 12" X 7.9") WEIGHT: 41.5 KG (91 LBS) TWO MOUNTING BRACKETS - ADD'L 2.1 KG ( 5 LBS).</div><div></div><div>ISOMETRIC VIEW</div></div>			<div><div>SCALE: N.T.S.</div><div>3</div></div>					
<div><div>2</div><div>AIR 21 ANTENNA DETAIL</div><div></div><div>SCALE: N.T.S.</div></div>			<div><div>SCALE: N.T.S.</div><div>6</div></div>					
<div><div>5</div><div>ANTENNA PIPE MOUNT</div><div></div><div>ERICSSON KEY 112 144/1 DIMENSIONS: MM (IN) ..... 190 X 185 X 86 (7.5" X 7.3" X 3.4") WEIGHT: KG (LB) ..... 5 KG (11 LBS) FINISH ..... GRAY PAINT</div></div>			<div><div>SCALE: N.T.S.</div><div>9</div></div>					
<div><div>1</div><div>NOT USED</div></div>			<div><div>4</div><div>NOT USED</div></div>			<div><div>7</div><div>NOT USED</div></div>		
<div><div>2</div><div>NOT USED</div></div>			<div><div>5</div><div>NOT USED</div></div>			<div><div>8</div><div>NOT USED</div></div>		
<div><div>3</div><div>NOT USED</div></div>			<div><div>6</div><div>NOT USED</div></div>			<div><div>9</div><div>NOT USED</div></div>		

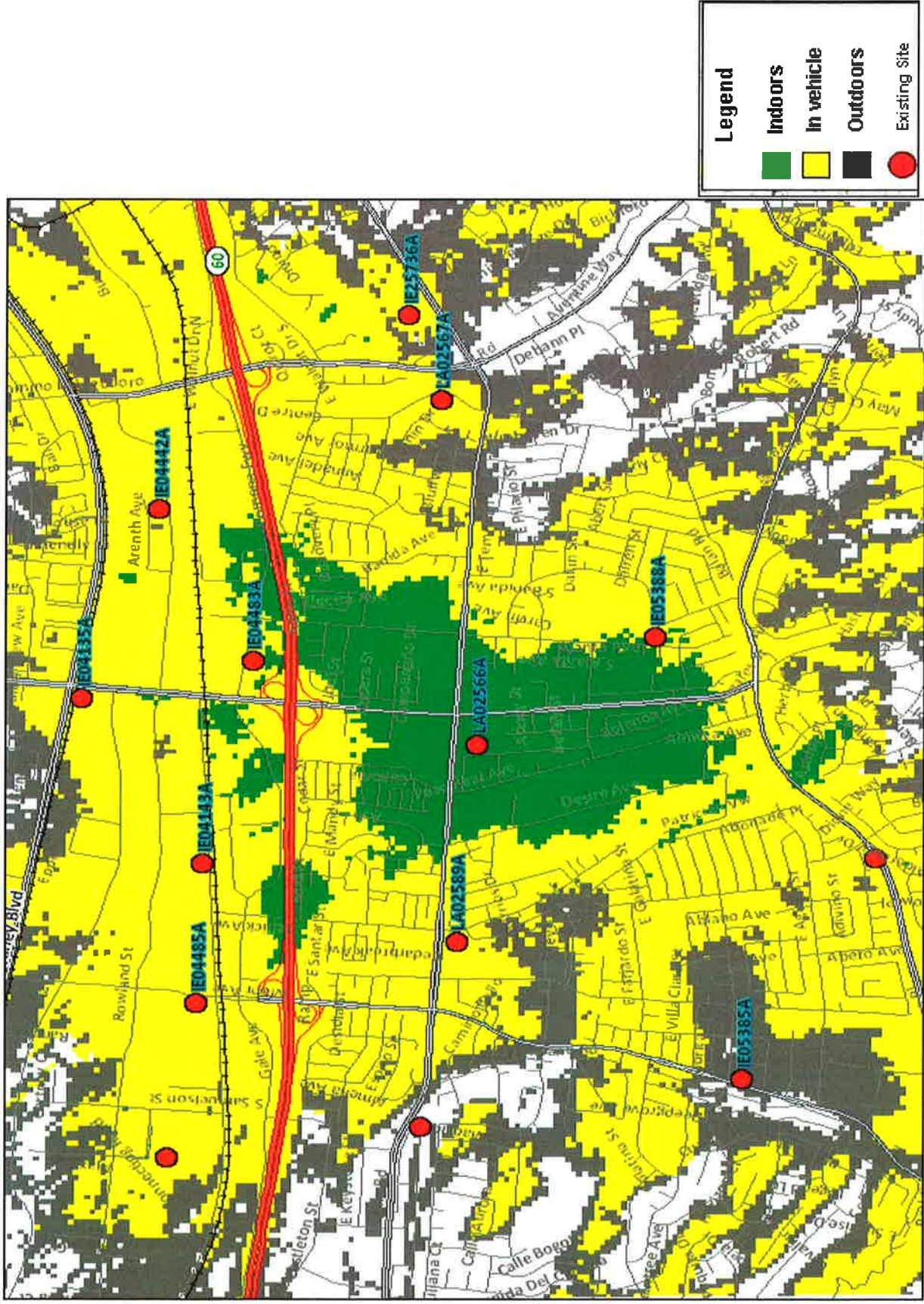
Predicted Coverage without LA02566A . Maps clearly show LA02566A is required for in building coverage



T-Mobile stick together

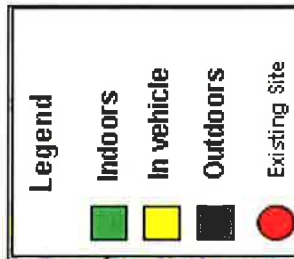
Confidential and Proprietary Information of T-Mobile USA

# Predicted Coverage of LA02566A only



**T-Mobile** stick together™

Confidential and Proprietary Information of T-Mobile USA





*Los Angeles County*  
*Department of Regional Planning*  
*Director of Planning James E. Hartl, AICP*



June 20, 2002

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Ms. Shannon MacDonald  
WFI  
1225 W. 190<sup>th</sup> St. - Suite 250  
Gardena, CA. 90248-4305

RE: CONDITIONAL USE PERMIT CASE NO. 02-001-(4)

A request to construct, operate and maintain an unmanned wireless telecommunications facility consisting of a 50' monopole with three (3) sectors of panel antenna with two (2) antennas per sector, for a total of six (6) antennas and a 160 sq. ft. equipment shelter enclosed by a 6' fence.

Dear Applicant:

PLEASE NOTE: This document contains the Hearing Officer's findings and order and conditions relating to **APPROVAL** of the above referenced case. **CAREFULLY REVIEW EACH CONDITION.**

Condition 2 requires that the permittee must file an affidavit accepting the conditions before this grant becomes effective. **USE THE ENCLOSED AFFIDAVIT FOR THIS PURPOSE.**

The applicant or **ANY OTHER INTERESTED PERSON** may **APPEAL** the Hearing Officer's decision to the Regional Planning Commission at the commission's secretary, Room 1390, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Contact the commission's secretary for the necessary forms and the amount of the appeal fee at (213) 974-6409. The appeal must be postmarked or delivered in person within 15 days after this notice is received by the applicant. The Hearing Officer's decision may also be called up for review by the Regional Planning Commission during the appeal period.

For further information on appeal procedures or any other matter pertaining to this approval, please contact the Zoning Permits Section (213) 974-6443.

**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** The applicant requests a conditional use permit to construct, operate and maintain an unmanned wireless telecommunications facility consisting of a 50' monopalm with three (3) sectors of antennas with two (2) antennas per sector for a total of six (6) panel antennas and a 160 sq. ft. equipment shelter within a 475 sq. ft. lease area.

**FACTUAL SUMMARY:**June 4, 2002 Public Hearing

A duly noticed public hearing was held on June 4, 2002. The applicant's representative, Ms. Shannon MacDonald, presented testimony in favor of the request. The Hearing Officer, Mr. John Gutwein, asked if the Rowland Heights Coordinating Council had reviewed the proposal. Ms. MacDonald explained that as a result of meeting with the president of the Rowland Heights Coordinating Council, Mr. Russell Bell, Cingular Wireless revised their request. Staff also provided the Hearing Officer with a letter from the Rowland Heights Coordinating Council with recommendations. The revision included disguising the monopole as a palm tree (monopalm) and constructing a wrought iron fence instead of a chain link fence. The Hearing Officer then questioned the need for a 50' high monopalm. Ms. MacDonald responded that the 50' height was needed to provide a seamless coverage that would satisfy technical needs and prevent the necessity for multiple sites requiring additional monopoles..

Ms. MacDonald further requested the elimination of condition number 1 (j), the condition requiring the applicant to submit a landscape plan. Ms. MacDonald stated that the facility was in a relatively remote location on the site and the equipment cabinets would be enclosed within a 6' wrought iron enclosure instead of the typical chain link fencing. The Hearing Officer agreed that the upgrade to a wrought iron fence added an ornamental element to the perimeter and was an aesthetic improvement over the chain link fence. He approved the elimination of condition 1 (j) requiring a landscape plan if the wrought iron fence was designed and constructed to be decorative as a landscape substitute.

There being no further testimony, the Hearing Officer closed the public hearing and directed staff to prepare the findings and conditions for approval.

Findings

1. The applicant is requesting authorization to construct, operate and maintain an unmanned wireless telecommunications facility consisting of a 50' monopole disguised as a palm tree (monopalm) with three (3) sectors

- of antennas with two (2) antennas per sector for a total of six (6) antennas and a 160 sq. ft. equipment shelter within a 475 sq. ft. lease area enclosed by a wrought iron fence.
2. The subject property is located at 1725 S. Nogales St. in the community of Rowland Heights and in the Puente Zoned District. Access to the site is via Nogales Street to the east and Colima Rd. to the north.
  3. Existing zoning on the subject property is C-2-BE (Neighborhood Business-Billboard Exclusion). The site is developed with a shopping center.
  4. Surrounding zoning consists of the following;  
North: C-2-BE (Neighborhood Business-Billboard Exclusion)  
South: A-1-6,000 (Light Agricultural – 6,000 sq. ft. req. area)  
East: C-2-BE (Neighborhood Business- Billboard Exclusion)  
West: A-1-6,000 (Light Agricultural – 6,000 sq. ft. req. area)
  5. Surrounding Land Uses consists of the following;  
North: Commercial  
South: Church  
East: Commercial  
West: Single Family Residential
  6. The applicant submitted a site plan, elevations and a parking plan. The revised site plan depicts the 50' monopalm and adjacent equipment shelter in a 19'-0" x 25'-9" lease area enclosed by a 6' wrought iron fence in the southwest corner of the shopping center. A 15' access route within the (parking lot area) is shown leading to the facility. The one story shopping center building and parking lot are depicted east of the proposed location for the monopole. A 4' chain link fence is shown along the southern property line and a 6' chain link fence with barbed wire is shown along the western property line. A 25' wide storm drain is depicted west of the proposed facility. The elevation plan depicts the height of the proposed antenna. The height of the proposed monopalm is shown at 50'. The shopping center building height is depicted at 22'-6" and the top of the proposed equipment shelter is shown at 11'-6". A proposed 6' wrought iron fence is also shown around the lease area. The parking plan shows the parking lot north and west of the shopping center building. The plan depicts 67 standard parking spaces, 44 compact spaces and 4 handicapped spaces. In total, the parking plan depicts 111 spaces and 107 spaces are required. Restaurant uses are shown at 6000 sq. ft., retail uses at 8850 sq. ft., office use at 9350 sq. ft. and food to go use at 1400 sq. ft. The proposed facility would remove three (3) parking spaces and the resultant 108 parking spaces meets parking requirements of 107 spaces.

7. The subject site is designated Commercial within the Rowland Heights Community General Plan. The commercial land use designation allows for retail commercial, service and office uses. The subject facility complies with this land use designation in that it is a telecommunications facility providing a service to the Rowland Heights community.
8. The site is also located within the Rowland Heights Community Standards District (CSD). The CSD contains community wide and zone specific standards. The CSD was established to implement the Rowland Heights Community Plan. The Rowland Heights CSD provides development standards that ensure that new development retains the residential character of the area and that the appearance of signs in commercial areas is appropriate for the community. The CSD also includes requirements for increased landscaping and building setbacks. The monopalm will be conditioned to comply with the CSD.

The subject property is located within the C-2-BE zone. Guidelines for development within the C-2 zone are specified in Section 22.44.132 (d) (3) of the CSD. According to Section 22.44.132 (D)(3)(e):

"A minimum setback of three feet from any property line adjoining a residential zone is required for new structures or additions. For such structures over 15 feet in height, the setback shall be increased by one foot for each additional foot of building height over 15 feet."

The proposed monopalm is 50 feet in height. However, the subject property is located adjacent to an agricultural zone (A-1-1). Furthermore, the subject property is separated from the adjacent parcels by a 40' drainage channel. The monopalm is further set back 14' from the property line, providing a total of 64' of separation from easterly boundary of the adjacent parcel which complies with the CSD.

The location of the monopalm, on the westerly side of the subject property minimizes visibility from Nogales (approximately 430' of separation) and Colima Road (approximately 300' of separation).

The applicant consulted with the Rowland Heights Coordinating Council President, Mr. Russell Bell. As a result of those meetings, the applicant revised the design of the monopole to disguise it as a palm tree (monopalm). The applicant also submitted revised site plans indicating the monopalm design and the installation of a wrought iron fence instead of the originally proposed chain link fence.

Applicable zone specific standards in Section 22.24.132 (D) (3)(c): - "Where a parking lot containing more than 20 parking spaces exists or is proposed, at least 5 percent of the gross area of the parking lot shall be

landscaped. Landscaping shall be distributed throughout the parking lot to maximize the aesthetic effect and compatibility with adjoining uses. Where appropriate, all area of the parking lot not used for vehicle parking or maneuvering or for pedestrian movement or activity shall be landscaped." The subject parking lot is landscaped to comply with this requirement.

8. There are two previous zoning cases on the subject property as follows;

Plot Plan 32563: Approved a food delivery establishment May 15, 1983; approved a takeout restaurant on March 7, 1986; a restaurant with live entertainment was approved June 10, 1999; a Korean BBQ restaurant was approved December 10, 2001, and an illuminated Channel sign was approved March 8, 2002.

Conditional Use Permit/ Parking Permit 93-087: Approved a recording studio with less than required parking May 4, 1995.

9. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the environmental guidelines and reporting procedures of the County of Los Angeles. The Initial Study concluded that a Class 3 Categorical Exemption –(New Construction or Conversion of Small Structures) is the appropriate environmental documentation for this project.
10. The subject property is adjacent to an agricultural zone on the westerly side. The monopole is separated from residential uses located westerly of the subject property by a drainage channel and additional 14' setback from the westerly property line. The location of the monopole, on the westerly side of the subject property also minimizes visibility from Nogales and Colima.
11. Parking is adequate pursuant to the previously approved plot plan for the subject property depicting 107 required parking spaces and 111 provided parking spaces.
12. A wireless telecommunications facility is a use not specified in Title 22 of the Los Angeles County Code (Zoning Ordinance). The use most closely matching a wireless telecommunications facility that is specified in the Los Angeles Ordinance is a communication equipment building and/or a radio or television tower. These uses require a conditional use permit in the C-2-BE (Neighborhood Business – Billboard Exclusion) zone pursuant to section 22.28.160 of the Los Angeles County Zoning Ordinance.
13. The Zoning Ordinance, in section 22.52.1220 (Parking – Uses Not Specified) requires one parking space be provided for said use, The

parking space is required for monthly maintenance visits. The shopping center parking lot is sufficient to accommodate this requirement.

14. This use is proposed to expand wireless telecommunication services in the Rowland Heights area. The service is needed to fill a gap in service.
15. The Zoning Code requires that the applicant meet burden of proof requirements for a conditional use permit in Section 22.56.040. The applicant has met the burden of proof for those requirements.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

REGARDING THE CONDITIONAL USE PERMIT:

- A. The proposed use as conditioned is consistent with the adopted general plan for the area;
- B. The requested use at the proposed location will not adversely affect the health, peace, comfort or welfare of persons residing and working in the surrounding area, and not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required;

AND, THEREFORE, the information submitted by the applicant and presented at the hearing substantiates the required findings for a conditional use permit as set forth in Section 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. The Hearing Officer has considered the Categorical Exemption together with any comments received during the public review process and finds on the basis of the whole record before the Hearing Officer that the project is categorically exempt from CEQA.

2. In view of the findings of fact presented above, a Conditional Use Permit, Case No. 02-001-(4), is **APPROVED** subject to the attached conditions.

BY:  DATE: 6-19-02  
John Gutwein, Hearing Officer  
Department of Regional Planning  
County of Los Angeles

Attachments: Conditions  
Affidavit

c: Planning Commissioners, Zoning Enforcement, Building and Safety,

JG:RF:VI  
06-18-02

1. This grant authorizes the construction, operation and maintenance of a 50' monopole disguised as a palm tree (monopalm) with three (3) sectors of antennas with two (2) antennas per sector for a total of six (6) antennas and an adjacent 10'x16' equipment shelter within a 475 sq. ft. lease area enclosed by a 6' wrought iron fence subject to the following restrictions as to use:
  - a. The facility shall be operated in accordance with regulations of the State Public Utilities Commission and with the emission standards of the Federal Communications Commission;
  - b. Upon termination of this grant, or within six (6) months after the facility has ceased operation, the permittee shall remove the facility and clear the site of all equipment. The permittee shall restore the site as nearly as practicable to its condition prior to the installation of the subject facility;
  - c. All structures shall conform to the requirements of the Division of Building and Safety of the Department of Public Works;
  - d. The permittee shall maintain all areas of the subject property in a neat and orderly fashion, free of litter and debris;
  - e. All structures, including antennae and equipment cabinets, shall be a neutral color, excluding black, and shall not be glossy or reflective in nature, to blend with the surroundings;
  - f. All structures, walls and fences open to public view shall remain free of extraneous markings, drawings or signage. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises;
  - g. In the event any such extraneous markings occur, the permittee shall remove or cover said markings, drawings or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization;
  - h. Facility lighting shall be low intensity and directed away from residential areas. No pole-mounted lighting is permitted;
  - i. One parking space shall be designated for the monthly maintenance visits.

- j. The project shall comply with all requirements contained in the Rowland Heights Community Standards District.
  - k. The pole shall be developed as a monopalm and enclosed by a decorative ornamental wrought iron fence that is attractive.
  - l. The monopalm shall be limited to a maximum height of 50'.
- 2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation or entity making use of this grant.
- 3. This grant shall not be effective for any purpose until the permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept, all of the conditions of this grant, and until all required fees have been paid pursuant to Condition No. 8.
- 4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
- 5. In the event that any claim, action or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted;
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined

herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee according to Los Angeles County Code Section 2.170.010.

6. This grant will expire unless used within two (2) years from the date of approval. A one-year time extension may be requested, in writing and with the appropriate fee, before the expiration date.
7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. This grant will terminate on June 30, 2012.

Entitlement to the use of the property thereafter shall be subject to the regulations then in effect. At least six (6) months prior to the expiration of this permit and in the event that the permittee intends to continue operations after such date, a new Conditional Use Permit application shall be filed with the Department of Regional Planning. The application shall be a request for continuance of the use permitted under this grant, whether including or not including modification to the use at that time.

9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. The permittee shall deposit with the County of Los Angeles the sum of **\$750.00.** The cost recovery shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The cost recovery provides for **5 biennial inspections.**

If any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the site plan on file.

Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a Hearing Officer may, after conducting a public

hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

11. Within thirty (30) days of the approval date of this grant, the permittee shall contact the Fire Prevention Bureau of the Los Angeles County Forester and Fire Warden to determine what facilities may be necessary to protect the property from fire hazard. Any necessary facilities shall be provided to the satisfaction of and within the time periods established by the Forester and Fire Warden.
12. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
13. The subject property shall be developed and maintained in substantial compliance with the approved Exhibit "A". In the event that subsequent revised plans are submitted, the written authorization of the property owner is required.

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